

MINUTES

ALCOHOL AND TOBACCO COMMISSION

APRIL 3, 2007

CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson and Commissioner Sturtz. Also in attendance were Executive Secretary Choe and Superintendent Huskey.

Lisa Goldner of Bose McKinney and Evans, Debbie Scott of IABR, Mark Webb of ILBA and Brad Klopfenstein were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the March 20, 2007 meeting. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Vice Chairman Johnson moved to approve the parties agreed disposition forms that were submitted for the April 3, 2007 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR46-06543 1103-05, INC. – Hearing Judge Choe recommended the Commission remand this renewal to the local board for further investigation regarding the relationship between calls for service and the character of the permittee and also the actions, practices or manner of conducting business that constitute a lack of good moral character and good repute in the community.

Vice Chairman Johnson moved to uphold the hearing judge's recommendation and remand this renewal application to the local board. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR49-04216 BURRIS ENTERPRISES, INC. – Hearing Judge Choe recommended the Commission remand this renewal application to the local board due to the fact that there is no record of the local board meeting because no tape recording was made.

Vice Chairman Johnson moved to uphold the hearing judge's recommendation and remand this renewal to the local board. Motion seconded by Commissioner Sturtz and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the

Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

Four hundred eighteen (418) renewals approved, twenty-three (23) new and/or transfer permits approved, six (6) permits approved for catering, three (3) permits approved for first year escrow, one (1) permit approved for second year escrow, one (1) permit approved for third year escrow and one (1) permit approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Sturtz and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR91-21431 GUADALAJARA GRILL, INC. – Chairman Heath noted this is a type 103 renewal application with the local board voting four (4) to zero (0) to disapprove.

Vice Chairman Johnson moved to uphold the local board's recommendation and deny the renewal due to the fact that the Health Department has suspended the permittee's food handler's permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

INACTIVE FILES

RR45-01543 DOROTHY HILLSMAN – Vice Chairman Johnson noted this permit was in escrow, but the permittee failed to file a 6 month report with the Commission and, therefore, the permit was made inactive. A power of attorney has now been appointed in this matter and a buyer has been found. The transfer papers have been filed with this office.

Vice Chairman Johnson moved to reactivate this permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

Vice Chairman Johnson moved to make twelve (12) permits inactive. One (1) permit is subject to auction and eleven (11) permits are not subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

OLD BUSINESS

Rc71-86164 KNIGHTS OF PYTHIAS – Vice Chairman Johnson stated the local board recommended denial of this renewal based on a “no tolerance” policy. The Commission continued this matter for further investigation.

Vice Chairman Johnson moved to remand this renewal to the local board due to the fact that the make up of the local board is different and they are now basing their vote on all factors regarding the permit and not just a “no tolerance” policy. Motion seconded by Commissioner Sturtz and it was unanimously approved.

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Vice Chairman Johnson and it was unanimously approved.

Approved this _____ day of _____, 2007.

DAVE HEATH, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER